

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Application for Mediators

Please complete the entire application, using additional paper if necessary. You may also attach a resume.

Name: Bernie Wellington Ellis

Firm or Office Name: McNair Law Firm, P.A.

Office Address: P. O. Box 447, Greenville, SC 29602

Office Phone: 864-271-4940 Office Fax: 864-271-4015

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ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 8/28/92 I.D. No.: 5650

Date admitted to the South Carolina Bar: 5/7/92 Bar No.: 064841

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.):
New York State, 1991, #2431096 Fourth Circuit Court of Appeals 1/23/96

Membership and positions held in bar, ADR and professional associations: _____

Are you a member in good standing in each jurisdiction where admitted to practice law? ☒ yes ☐ no

Are you currently the subject of any pending disciplinary proceeding in any jurisdiction? ☐ yes ☒ no

Have you, within the last 5 years, been denied admission to a bar for character or ethical reasons or disciplined for professional misconduct? ☐ yes ☒ no

EDUCATION

Year law degree received 1990 Law School University of Virginia

Other professional degrees received (including year and school) _____

LEGAL EXPERIENCE (A minimum of 5 years of law practice required)

Summarize legal experience (including teaching) since admission to the bar, particularly in the past five years:

September, 1990–February, 1992 – Tax attorney with Breed, Abbott & Morgan
New York, NY

March, 1992–July, 1999 – Litigation attorney with McNair Law Firm, P.A.,
Columbia, SC

July, 1999–Present – Litigation attorney with McNair Law Firm, P.A.,
Greenville, SC

Percentage of practice in last 5 years representing plaintiff 35 % or defense 65 %

Percentage of Federal or State court practice in last 5 years: Federal 50 % State 50 %

Number of years engaged in active litigation: 10

EXPERTISE

Indicate all substantive areas in which you have expertise. Place a "1" by your strongest area(s) and a "2" by all other areas in which you have expertise. (Do not rank beyond "1" and "2.") After any category you have marked, please identify any sub-areas of expertise you have (e.g., "medical malpractice" after Personal Injury).

| | |
|-----------------------------------|--|
| <u> </u> Admiralty | <u> </u> Security or Shareholders suits |
| <u> </u> Antitrust | <u> </u> Labor |
| <u> 1 </u> Contracts | <u> 1 </u> ERISA |
| <u> </u> Environment | <u> </u> Wrongful Termination |
| <u> 1 </u> Fraud or Civil RICO | <u> 1 </u> Civil Rights in Employment |
| <u> </u> Insurance | <u> </u> Other Civil Rights |
| <u> </u> Miller Act | <u> </u> Copyrights |
| <u> 2 </u> Personal Injury | <u> </u> Patent |
| <u> 2 </u> Product Liability | <u> </u> Trademark |
| <u> </u> Other (specify) _____ | |

Publications: _____

MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above): _____

I have participated in a number of mediations as counsel for the plaintiff and for the defendant. I have conducted two mediations involving an alleged breach of contract. I have conducted one mediation involving an allegation of business fraud. I have conducted one mediation involving an alleged violation of the South Carolina wage payment statute and breach of contract.

Other courts or organizations for whom you serve as a mediator (please note any certifications): _____

South Carolina Circuit Court

Number of mediations conducted: 4 Number of other ADR sessions conducted: _____

MEDIATION AND OTHER ADR TRAINING

| Course Provider | Course Content | Date | Place | No. of Hours |
|----------------------------|--------------------------|-----------|--------------|-----------------|
| SC Council for | Court mediation training | 12/4-8/00 | Columbia, SC | 40 |
| <u>Conflict Resolution</u> | | | | |
| _____ | | | | |
| _____ | | | | |

OTHER INFORMATION

Are you familiar with the statutes, rules and practice governing alternative dispute resolution in the District of South Carolina? ☒ yes ☐ no

Other relevant experience or skills or other information you would like considered in connection with this application:

Cities in which you are available to conduct mediation:

☒ Columbia

☒ Charleston

☒ Greenville

☒ Florence

Other I am able to conduct mediations statewide. I have access to office space in Columbia, Charleston, Greenville, Georgetown and Myrtle Beach.

Fees charged:

Hourly Rate: \$ 180.00

Minimum charge each mediation: \$ 180.00

How do you bill for travel? (explain): I generally bill full rate for travel time where it is necessary to travel during business hours. This is entirely negotiable.

I agree to: (1) Be subject to the Rules of Professional Conduct, Rule 407, South Carolina Appellate Court Rules; the Rules for Lawyer Disciplinary Enforcement, Rule 413, South Carolina Appellate Court Rules; and the Local Rules of the District Court; (2) Provide mediation to indigents without pay if ordered by the Court; (3) Notify the Alternative Dispute Resolution Program Director of any change in the above facts or otherwise in my ability to perform duties as a mediator; (4) Disclosure of information contained in this application to litigants and other members of the public.

I certify that the foregoing is true and correct.

Signature: *[Signature]*

Applicant

Date: 4/4/02

Return completed application to:
Sherry M. Mundy, Director
Alternative Dispute Resolution Program
United States District Court
Post Office Box 835
Charleston, SC 29402-0835

Reviewed by: *[Signature]*

ADR Program

Date: 4/18/02

Approved: *[Signature]*

U.S. District Judge

Date: 4/22/02